S.B.Civil Second Appeal No.252/2005

Hanumana Ram @ Hanuman Ram vs. Chhagan Lal & Ors.

Date : 2.8.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. IR Choudhary, for the appellant.

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Heard learned counsel for the appellant.

A suit for specific performance of contract was filed by the plaintiff seeking the enforcement of the agreement dated 12.10.1989. The trial court dismissed the suit of the plaintiff after holding that the plaintiff failed to prove that any agreement was executed by deceased Asu Ram on 12.10.1989 for the land of khasra no.2898 measuring 10 bighas 15 biswas or he received Rs.20,000/- in pursuance of that agreement. The court below also held that for enforcement of that agreement, the suit has been filed on 12.10.1992. The finding recorded by the trial court on all the issues were upheld by the first appellate court after detail discussion.

After going through the facts of the case, this Court is of the opinion that the courts below carefully considered the facts of the case and concurrently found that the plaintiff failed to prove any agreement for sale of agriculture land.

In view of the above, I do not find any substantial question of law involved in this appeal. Hence, this second appeal is dismissed.

(PRAKASH TATIA), J.

S.Phophaliya